

Adopted	Rejected
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## COMMITTEE REPORT

YES:	12
NO:	0

### MR. SPEAKER:

*Your Committee on Local Government, to which was referred House Bill 1434, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1       Page 1, between the enacting clause and line 1, begin a new
- 2       paragraph and insert:
- 3       "SECTION 1. IC 36-8-8-1 IS AMENDED TO READ AS
- 4       FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. This chapter applies
- 5       to:
- 6       (1) full-time police officers hired or rehired after April 30, 1977,
- 7       in all municipalities, or who converted their benefits under
- 8       IC 19-1-17.8-7 (repealed September 1, 1981);
- 9       (2) full-time fully paid firefighters hired or rehired after April 30,
- 10      1977, or who converted their benefits under IC 19-1-36.5-7
- 11      (repealed September 1, 1981);
- 12      (3) a police matron hired or rehired after April 30, 1977, and
- 13      before July 1, 1996, who is a member of a police department in a
- 14      second or third class city on March 31, 1996; and

(4) a park ranger who:

(A) completed at least the number of weeks of training at the Indiana law enforcement academy **or a comparable law enforcement academy in another state** that were required at the time the park ranger attended the Indiana law enforcement academy **or the law enforcement academy in another state;**

(B) graduated from the Indiana law enforcement academy **or a comparable law enforcement academy in another state;** and

(C) is employed by the parks department of a city having a population of more than one hundred twenty thousand (120,000) but less than one hundred fifty thousand (150,000);

except as provided by section 7 of this chapter.

SECTION 2. IC 36-8-8-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 7. (a) Except as provided in subsections (d), (e), (f), (g), and (h):

(1) a police officer; or

(2) a firefighter;

who is less than thirty-six (36) years of age and who passes the baseline statewide physical and mental examinations required under section 19 of this chapter shall be a member of the 1977 fund and is not a member of the 1925 fund, the 1937 fund, or the 1953 fund.

(b) A police officer or firefighter with service before May 1, 1977, who is hired or rehired after April 30, 1977, may receive credit under this chapter for service as a police officer or firefighter prior to entry into the 1977 fund if the employer who rehires him chooses to contribute to the 1977 fund the amount necessary to amortize his prior service liability over a period of not more than forty (40) years, the amount and the period to be determined by the PERF board. If the employer chooses to make the contributions, the police officer or firefighter is entitled to receive credit for his prior years of service without making contributions to the 1977 fund for that prior service. In no event may a police officer or firefighter receive credit for prior years of service if the police officer or firefighter is receiving a benefit or is entitled to receive a benefit in the future from any other public pension plan with respect to the prior years of service.

(c) Except as provided in section 18 of this chapter, a police officer or firefighter is entitled to credit for all years of service after April 30,

1 1977, with the police or fire department of an employer covered by this  
2 chapter.

3 (d) A police officer or firefighter with twenty (20) years of service  
4 does not become a member of the 1977 fund and is not covered by this  
5 chapter, if he:

- 6 (1) was hired before May 1, 1977;
- 7 (2) did not convert under IC 19-1-17.8-7 or IC 19-1-36.5-7 (both  
8 of which were repealed September 1, 1981); and
- 9 (3) is rehired after April 30, 1977, by the same employer.

10 (e) A police officer or firefighter does not become a member of the  
11 1977 fund and is not covered by this chapter if he:

- 12 (1) was hired before May 1, 1977;
- 13 (2) did not convert under IC 19-1-17.8-7 or IC 19-1-36.5-7 (both  
14 of which were repealed September 1, 1981);
- 15 (3) was rehired after April 30, 1977, but before February 1, 1979;  
16 and
- 17 (4) was made, before February 1, 1979, a member of a 1925,  
18 1937, or 1953 fund.

19 (f) A police officer or firefighter does not become a member of the  
20 1977 fund and is not covered by this chapter if he:

- 21 (1) was hired by the police or fire department of a unit before May  
22 1, 1977;
- 23 (2) did not convert under IC 19-1-17.8-7 or IC 19-1-36.5-7 (both  
24 of which were repealed September 1, 1981);
- 25 (3) is rehired by the police or fire department of another unit after  
26 December 31, 1981; and
- 27 (4) is made, by the fiscal body of the other unit after December  
28 31, 1981, a member of a 1925, 1937, or 1953 fund of the other  
29 unit.

30 If the police officer or firefighter is made a member of a 1925, 1937, or  
31 1953 fund, he is entitled to receive credit for all his years of service,  
32 including years before January 1, 1982.

33 (g) As used in this subsection, "emergency medical services" and  
34 "emergency medical technician" have the meanings set forth in  
35 IC 16-18-2-110 and IC 16-18-2-112. A firefighter who:

- 36 (1) is employed by a unit that is participating in the 1977 fund;
- 37 (2) was employed as an emergency medical technician by a  
38 political subdivision wholly or partially within the department's

- 1 jurisdiction;
- 2 (3) was a member of the public employees' retirement fund during
- 3 the employment described in subdivision (2); and
- 4 (4) ceased employment with the political subdivision and was
- 5 hired by the unit's fire department due to the reorganization of
- 6 emergency medical services within the department's jurisdiction;
- 7 shall participate in the 1977 fund. A firefighter who participates in the
- 8 1977 fund under this subsection is subject to sections 18 and 21 of this
- 9 chapter.
- 10 (h) A police officer or firefighter does not become a member of the
- 11 1977 fund and is not covered by this chapter if the individual was
- 12 appointed as:
- 13 (1) a fire chief under a waiver under IC 36-8-4-6(c); or
- 14 (2) a police chief under a waiver under IC 36-8-4-6.5(c);
- 15 unless the executive of the unit requests that the 1977 fund accept the
- 16 individual in the 1977 fund and the individual previously was a
- 17 member of the 1977 fund.
- 18 (i) A police matron hired or rehired after April 30, 1977, and before
- 19 July 1, 1996, who is a member of a police department in a second or
- 20 third class city on March 31, 1996, is a member of the 1977 fund.
- 21 (j) A park ranger who:
- 22 (1) completed at least the number of weeks of training at the
- 23 Indiana law enforcement academy **or a comparable law**
- 24 **enforcement academy in another state** that were required at the
- 25 time the park ranger attended the Indiana law enforcement
- 26 academy **or the law enforcement academy in another state;**
- 27 (2) graduated from the Indiana law enforcement academy **or a**
- 28 **comparable law enforcement academy in another state;** and
- 29 (3) is employed by the parks department of a city having a
- 30 population of more than one hundred twenty thousand (120,000)

- 1 but less than one hundred fifty thousand (150,000);
- 2 is a member of the fund."
- 3 Renumber all SECTIONS consecutively.  
(Reference is to HB 1434 as introduced.)

**and when so amended that said bill do pass.**

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Representative Stevenson